

ending August 31, 1934, and August 31, 1935, respectively, increasing the appropriations made for that purpose by the Forty-third Legislature at its Regular Session; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 81, A bill to be entitled "An Act making an appropriation of Two Thousand and Five Hundred Dollars for the building, installing, and operating of a new cotton lint sterilizing machine for treating baled cotton in the pink bollworm regulated area of the State, in compliance with the Pink Bollworm Law, Title 4, Volume 1, Chapter 3, Revised Civil Statutes of Texas 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOLBROOK Chairman.

Committee Room,
Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 20, Relating to the use of appropriation heretofore made for the Fireman's Training School at the Agricultural and Mechanical College.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 68, A bill to be entitled

"An Act making an appropriation for the balance of the fiscal year ending August 31, 1934, to be used by the State Park Board, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass, with amendment, and that it be not printed.

HOLBROOK, Chairman.

Amend Senate Bill No. 68 by striking out the words and figures Twenty-Five Thousand (25,000.00) Dollars wherever they appear and insert in lieu thereof the words and figures Twelve Thousand (\$12,000.00) Dollars.

Committee Room,
Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We your Committee on Finance, to whom was referred

S. B. No. 89, A bill to be entitled "An Act providing for holding a Texas Centennial celebration or celebrations in 1936; creating a Texas Centennial Commission, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, without appropriation, and be printed.

HOLBROOK, Chairman.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas,
October 9, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Martin.
Blackert.	Moore.
Collie.	Murphy.
Cousins.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Fellbaum.	Parr.
Greer.	Patton.
Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.

Redditt.	Stone.
Regan.	Woodruff.
Russek.	Woodul.
Sanderford.	Woodward.
Small.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Moore:

S. B. No. 96, A bill to be entitled "An Act authorizing the Chairman of the Board of Insurance Commissioners to employ not to exceed five (5) additional examiners, three (3) of whom shall be senior examiners and two (2) of whom shall be assistant examiners, and requiring such examiners to give bond; fixing the compensation and traveling expenses of such examiners and providing for the manner of payment, and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Hopkins:

S. B. No. 97, A bill to be entitled "An Act creating a water conservation and reclamation district as a public corporation under Section 59, Article 16 of the Constitution of Texas, to be known as 'The Guadalupe River Authority'; defining the territory of such district; prescribing the purpose, authority, powers and privileges of such corporation; providing for directors of the corporation, their term of office, their compensation, their powers and duties, and for the employment by them of a secretary, manager, attorneys, auditors, engineers and other assistants; providing that the corporation may enter into contracts and other obligations, acquire and hold property, sue and be sued in its corporate name, for the borrowing of money, the issuance of bonds, notes and other obligations, and encumbering and pledging of the property of the corporation; providing for the de-

posit, withdrawal and disbursement of funds, financial statements and disposition of net earnings; and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Rawlings:

S. B. No. 98, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to purchase, acquire and construct permanent improvements, including dormitories, stadiums, and athletic fields, and for the improvement of such structures heretofore erected, providing for the equipping and furnishing of the same, providing for the insurance and registration of revenue bonds and revenue notes, and for disposition and pledging of the revenues derived from the operation and control of such dormitories, athletic fields, stadiums, and other improvements, authorizing the purchase and sale of certain lands, imposing the power to contract and vesting general authority in the Board of Directors for the purposes of carrying out the provisions hereof, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senators Neal, Redditt, Pace and Holbrook:

S. B. No. 99, A bill to be entitled "An Act authorizing the State Board of Education in certain instances to issue and sell deficiency certificates bearing interest at a rate of not more than 4% per annum from issuance until same are called for payment against the State Available School Fund; regulating and limiting the issuance and sale of such certificates; providing that certificates issued under the provisions of this Act shall be drawn upon the State Treasurer by the State Comptroller and shall be countersigned by the State Treasurer and the President of the State Board of Education; prescribing the conditions upon which certificates issued under authority of this Act shall be delivered to the purchaser or purchasers thereof; postponing payment of such certificates to the payment of the State per capita apportionment for the scholastic year in which such certificates are issued; providing for redemption of such certificates and for the issuance of warrants in pay-

ment of such certificates and accrued interest thereon after the payment of the State per capita apportionment for the current scholastic year; providing for the cancellation and destruction of such certificates; making an appropriation out of the State Available School Fund to pay interest on deficiency certificates issued during the present scholastic year, authorizing the State Board of Education to set aside not more than 4% of the estimated revenues of each ensuing scholastic year to pay interest on certificates which may be issued under the authority of this Act during said ensuing year; authorizing the Comptroller to set up and prescribe all forms and records deemed by him to be necessary in the administration of this Act, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senators Woodul, Sanderford, Martin, Holbrook, Moore, Blackert, and Redditt:

S. B. No. 100, A bill to be entitled "An Act relieving persons, firms, associations and corporations, engaged in selling or furnishing water for irrigation, from all obligations, except contractual obligations, to furnish water for irrigation of rice crops in violation of any agreement made or hereafter entered into between such persons, firms, associations and corporations and the Secretary of Agriculture of the United States of America pursuant to and under the terms of an Act of Congress entitled 'The Agricultural Adjustment Act,' approved May 12, 1933, and any amendments thereto; and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Murphy:

S. B. No. 101, A bill to be entitled "An Act granting permission to The Gainesville Red River Bridge Company to sue the State Highway Commission as such, and the State of Texas upon a purported contract; fixing venue; making an appropriation to cover the expenses of the Attorney General in defending such suit; providing for the payment of any judgment which may be recovered against the Highway Commission as such and/or the State of

Texas; providing for appeals; and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

By Senator Martin:

S. B. No. 102, A bill to be entitled "An Act authorizing any county, city, common school district, independent school district, road district, irrigation and drainage district, and any other political subdivision to accept bonds issued by Federal Home Loan Bank Board or Home Owners' Loan Corporation in payment of delinquent taxes due such political subdivisions and providing that the said Federal Home Loan Bank Board and Home Owner's Loan Corporation shall be subrogated to the lien or liens securing the payment of such taxes and providing that the said Federal Home Loan Bank Board and Home Owners' Loan Corporation may extend the time of payment of such taxes with agreement of the tax debtor, and provided that this Act shall not apply to cities having a population of five thousand or less, and declaring an emergency."

Read and referred to Committee on Banks and Banking.

By Senators Blackert, Hopkins and Parr:

S. B. No. 103, A bill to be entitled "An Act to provide for the granting of charters for corporations, and the renewal thereof, for the purchase, sale and distribution of water and water rights, and the building of pipe lines, plants and the equipment thereof; to provide the conditions under which charters for the same may be granted and to authorize such corporations to borrow money from the Government of the United States of America or any agency thereof and to issue its notes and bonds as evidence of its indebtedness; to authorize the issuance of stock on which shall be paid no dividends, and to provide for the distribution of the profits of such corporation to towns, cities and other political subdivisions of the State as well as private corporations and individuals who shall be customers of such corporation in the purchase of water, said dividends to be issued in direct proportion to the amount of business transacted by such contractees with said corporation; to provide the method of selecting the governing body and of-

ficers of such corporation; to authorize such corporation to lease, purchase, own and hold such property, real and personal as may be required for its purposes; to limit the salary and expenses to be paid to the executive officers and legal representatives of such corporation; to grant to such corporation power of eminent domain to obtain rights of way for pipe lines and other necessary sites and to authorize such corporations to make contracts for the sale and delivery of water in exchange for rights of way, if in the judgment of the board of directors of said corporation the same be necessary; and declare an emergency requiring this bill to become operative immediately."

Read and referred to Committee on Mining, Irrigation and Drainage.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. C. R. No. 11, Granting permission to Mrs. C. B. Spooner to sue the State Highway Commission.

H. C. R. No. 29, Granting permission to Martin Bros. to sue the State.

H. B. No. 174, A bill to be entitled "An Act to amend Subdivision 23, of Article 7047, Chapter 1, Title 122, of the Revised Civil Statutes, State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, Regular Session, page 355, Chapter 212, Section 1, relating to an occupation tax on coin-operated vending machines, marble table machines, and similar devices, within the scope of the subdivision; providing such funds to be placed to the credit of the State Available School Funds, and declaring an emergency."

H. B. No. 184, A bill to be entitled "An Act amending Chapter 12, of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

H. B. No. 189, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less

than nine thousand six hundred and eighty-four (9,684) nor more than nine thousand seven hundred and eighty-four (9,784) inhabitants, according to the last preceding United States census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of nine million dollars (\$9,000,000) for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Resolutions Signed.

The Chair, President Pro Tem George C. Purl, gave notice of signing, and did sign in the presence of the Senate after their captions had been read, the following resolutions:

S. C. R. No. 15 S. C. R. No. 11

Message From the House.

Hall of the House of Representatives,
Austin Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate Amendments to H. B. No. 51 by a vote of 109 yeas and 10 nays.

H. C. R. No. 30, Granting J. F. Bentley permission to maintain a suit against the State Highway Commission of Texas.

H. C. R. No. 32, Proposing to enter in the Senate Journal the various corporate and business relationships of the individual members of the Senate.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. J. R. No. 1.

The Chair laid before the Senate as pending business the following resolution:

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America passed by the Sixty-eighth Congress of the United States of America, at its First Session, which amendment empowers the Congress to limit, regulate,

and prohibit the labor of persons under 18 years of age.

Recess.

On motion of Senator Woodul, the Senate, at 11:58 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

H. J. R. No. 1.

The question recurred upon H. J. R. No. 1.

Senator Hopkins moved the previous question on the further consideration of the resolution. The motion prevailed by the following vote:

Yeas—15.

Blackert.	Oneal.
Collie.	Pace.
Duggan.	Parr.
Fellbaum.	Rawlings.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Stone.
Martin.	

Nays—8.

Moore.	Purl.
Murphy.	Small.
Neal.	Woodruff.
Poage.	Woodward.

Present—Not Voting.

DeBerry.

Absent.

Beck.	Redditt.
Cousins.	Russek.
Greer.	Woodul.
Patton.	

Senator Purl asked unanimous consent for Senator Small (colleague of the author of the resolution), to be allowed to speak on the resolution.

Objection was heard.

The resolution was lost by the following vote:

Yeas—10.

Blackert.	Purl.
Duggan.	Rawlings.
Neal.	Sanderford.
Pace.	Small.
Patton.	Woodruff.

Nays—16.

Collie.	Murphy.
DeBerry.	Oneal.
Fellbaum.	Parr.
Holbrook.	Poage.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Stone.
Moore.	Woodward.

Absent.

Beck.	Cousins.
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Absent—Excused.

Greer.

(Pair Recorded.)

Senator Woodul (present) who would vote yea, with Senator Russek (absent) who would vote nay.

Senator Hopkins moved to reconsider the vote by which the resolution was lost.

Upon inquiry, the Chair, Lieutenant Governor Edgar E. Witt, held that, since the previous question was ordered on the adoption of the resolution, the motion to reconsider was also under the previous question; therefore discussion of the motion to reconsider or a motion to table the motion to reconsider was out of order.

The motion to reconsider was lost by the following vote:

Yeas—11.

Beck.	Rawlings.
Blackert.	Sanderford.
Duggan.	Small.
Neal.	Woodruff.
Pace.	Woodward.
Purl.	

Nays—15.

Collie.	Murphy.
DeBerry.	Oneal.
Fellbaum.	Parr.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Redditt.
Martin.	Stone.
Moore.	

Absent.

Cousins.	Regan.
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Absent—Excused.

Greer.

(Pair Recorded.)

Senator Woodul (present) who would vote yea, with Senator Russek (absent) who would vote nay.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 200, A bill to be entitled "An Act amending Articles 2525, 2528, and 2533, Chapter —, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State depositories and reserve depositories on State funds, etc., and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bill Signed.

The Chair, Lieutenant Governor Edgar E. Witt gave notice of signing, and did sign in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 51.

Senate Bill No. 69.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Senator Parr:

S. B. No. 69, A bill to be entitled "An Act creating Valley conservation and reclamation district embracing the Counties of Cameron, Hidalgo and Willacy; defining powers and purposes for which said district is created; providing for appointment of directors and defining their powers and duties; authorizing said district to contract with and to receive grants from United States Government or any of its agencies or departments and with the State of Texas and its agencies and departments; making an appropriation to defray expenses of surveys, etc.; authorizing State Departments of Reclamation and Health and The Texas Rehabilitation and Relief

Commission to cooperate with, aid and assist said district, and declaring an emergency."

Read second time.

Senator Woodward sent up the following amendments:

Amend S. B. No. 69, page 2, between lines 6 and 7 by adding the following:

"in so far as the same shall effect the district hereby created."

WOODWARD.

Read and adopted.

Amend S. B. No. 69, page 2, line 17, after the word "except" by inserting the following:

"for cost of right-of-way and maintenance and then only."

WOODWARD.

Read and adopted.

Amend S. B. No. 69, page 2, line 18, after the word "district" by adding the following:

"provided that no indebtedness shall be created unless same be authorized by a majority in each separate county."

WOODWARD.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 69 was put on its third reading and final passage by the following vote:

Yeas—23.

Blackert.	Parr.
Cousins.	Patton.
DeBerry.	Rawlings.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Nays—1.

Poage.

Absent.

Beck.	Martin.
Collie.	Purl.
Fellbaum.	Russek.
Greer.	

Read third time.

Senator Poage sent up the following amendment:

Amend S. B. No. 69, by striking out Section No. 6.

POAGE,
ONEAL,
DeBERRY.

Read and lost by the following vote:

Yeas—8.

Collie.	Poage.
DeBerry.	Purl.
Murphy.	Rawlings.
Oneal.	Woodruff.

Nays—18.

Beck.	Parr.
Blackert.	Patton.
Cousins.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Neal.	Woodul.
Pace.	Woodward.

Absent.

Duggan.	Martin.
Fellbaum.	

Absent—Excused.

Greer.	Russek.
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The bill was finally passed by the following vote:

Yeas—18.

Beck.	Parr.
Blackert.	Patton.
Cousins.	Redditt.
Fellbaum.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Neal.	Woodul.
Pace.	Woodward.

Nays—9.

Collie.	Poage.
DeBerry.	Purl.
Hopkins.	Rawlings.
Murphy.	Woodruff.
Oneal.	

Absent.

Duggan.	Martin.
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Absent—Excused.

Greer.	Russek.
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Senator Hopkins moved to reconsider the vote by which the bill was finally passed.

Senator Purl moved to table the motion. The motion to table was lost by the following vote:

Yeas—4.

DeBerry.	Poage.
Oneal.	Purl.

Nays—24.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Redditt.
Duggan.	Regan.
Fellbaum.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent.

Martin.	Rawlings.
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Absent—Excused.

Greer.

The motion to reconsider prevailed.

The bill was finally passed by the following vote:

Yeas—22.

Beck.	Pace.
Blackert.	Parr.
Cousins.	Patton.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nays—6.

Collie.	Oneal.
DeBerry.	Poage.
Murphy.	Purl.

Absent.

Rawlings.

Absent—Excused.

Greer.	Russek.
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Messages From the Governor.

Executive Office,

Austin, Texas, October 9, 1933.

To the Forty-third Legislature in
First Called Session:

At the request of Senators Woodul, Sanderford, Martin, Holbrook, Moore, Blackert, Redditt, and Representatives Harrison, McDougald, Tennyson, Wagstaff, Shannon, Smith, Thomas, Baker and Hankamer, I submit for your consideration a bill hereto attached to be entitled: "An Act relieving persons, firms, associations and corporations, engaged in selling or furnishing water for irrigation, from all obligations, except contractual obligations, to furnish water for irrigation of rice crops in violation of any agreement made or hereafter entered into between such persons, firms, associations and corporations and the Secretary of Agriculture of the United States of America pursuant to and under the terms of an Act of Congress entitled 'The Agricultural Adjustment Act' approved May 12, 1933, and any amendments thereto, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,

Austin, Texas, October 9, 1933.

To the Forty-third Legislature in
First Called Session:

At the request of Senator Martin and Representative Anderson, I submit for your consideration a bill hereto attached to be entitled: "An Act authorizing any county, city, common school district, independent school district, road district, irrigation and drainage district, and any other political subdivision to accept bonds issued by Federal Home Loan Bank Board or Home Owners' Loan Corporation in payment of delinquent taxes due such political subdivisions . . ."

Also at the request of Senator Murphy, I submit for your consideration a bill hereto attached to be entitled: "An Act granting permission to the Gainesville Red River Bridge Company to sue the State Highway Commission as such and the State of Texas upon a purported contract."

Also at the request of Honorable L. A. Woods, State Superintendent,

I submit for your consideration a bill hereto attached to be entitled: "An Act authorizing the State Board of Education in certain instances to issue and sell deficiency certificates bearing interest at a rate of not more than 4% per annum from issuance until same are called for payment against the State Available School Fund; regulating and limiting the issuance and sale of such certificates; . . ."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.**Senate Bill No. 25.**

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage:

S. B. No. 25, A bill to be entitled "An Act adding two new sections to Article 7174 of the Revised Civil Statutes of 1925, and providing that the owner of any real estate in this State may file with the tax assessor a statement describing any liens thereon and that thereupon such owner shall be taxed only upon the equity owned in said real estate, that said lien shall be assessed as other real property against the owners thereof, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and failed to pass to engrossment by the following vote:

Yeas—6.

Collie.	Pace.
DeBerry.	Poage.
Murphy.	Sanderford.

Nays—18.

Beck.	Parr.
Blackert.	Patton.
Duggan.	Purl.
Fellbaum.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Small.
Moore.	Woodul.
Oneal.	Woodward.

Present—Not Voting.

Rawlings.

Absent.
Cousins. Stone.
Martin. Woodruff.
Neal.

Absent—Excused.

Greer.

Senate Bill No. 52.

The Chair laid before the Senate on its second reading the following bill:

By Senators Duggan, Regan, and Fellbaum:

S. B. No. 52, A bill to be entitled "An Act making an appropriation to reimburse growers and producers of cotton for expenses incurred during the years of 1929 through 1932, by reason of the establishment by the State of Texas of regulations requiring such growers and producers to pay for fumigation of cotton and sterilization of seed, and also to pay expenses of the Compensation Claim Board in carrying out the provisions of this Act; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Senator Holbrook sent up the following amendment:

Amend S. B. No. 52, by inserting in the bill after the words and figures wherever they appear in the bill, words and figures as follows: "and one hundred twenty-five thousand dollars (\$125,000) to reimburse the dairymen in Harris, Galveston and Brazoria Counties for losses sustained in milk during the hoof and mouth disease in 1925."

Amend caption to conform to body of bill.

HOLBROOK.

The amendment was read.

Senator Regan moved to table the amendment. The motion prevailed by the following vote:

Yeas—21.

Collie.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Fellbaum.	Patton.
Hopkins.	Poage.
Hornsby.	Purl.
Moore.	Rawlings.

Redditt.	Small.
Regan.	Stone.
Russek.	Woodward.
Sanderford.	

Nays—6.

Cousins.	Parr.
Holbrook.	Woodruff.
Murphy.	Woodul.

Absent.

Beck.	Martin.
Blackert.	

Absent—Excused.

Greer.

The bill was passed to engrossment by the following vote:

Yeas—20.

Collie.	Purl.
Cousins.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Hopkins.	Russek.
Moore.	Sanderford.
Neal.	Small.
Pace.	Stone.
Parr.	Woodul.
Patton.	Woodward.

Nays—7.

DeBerry.	Oneal.
Holbrook.	Poage.
Hornsby.	Woodruff.
Murphy.	

Absent.

Beck.	Martin.
Blackert.	

Absent—Excused.

Greer.

On motion of Senators Regan and Duggan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 52 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Fellbaum.
Blackert.	Holbrook.
Collie.	Hopkins.
Cousins.	Hornsby.
DeBerry.	Martin.
Duggan.	Moore.

Murphy.	Redditt.
Neal.	Regan.
Oneal.	Russek.
Pace.	Sanderford.
Parr.	Small.
Patton.	Stone.
Poage.	Woodruff.
Purl.	Woodul.
Rawlings.	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Patton.
Blackert.	Purl.
Collie.	Rawlings.
Cousins.	Redditt.
Duggan.	Regan.
Fellbaum.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

Nays—5.

DeBerry.	Oneal.
Holbrook.	Poage.
Murphy.	

Absent—Excused.

Greer.

Senate Bill No. 94.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Small:

S. B. No. 94, A bill to be entitled "An Act to authorize the selection of school depositories for independent school districts created by the Legislature prior to January 1, 1920, in certain counties regardless of the scholastic population of said districts and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Senator Small sent up the following amendment:

Amend S. B. No. 94, Section 1, line 8, by adding after the word "Texas" the following:

"and to levy, assess, and collect taxes as authorized by the Acts of the Legislature creating said districts."

SMALL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 94 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 79.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Hornsby:

S. B. No. 79, A bill to be entitled "An Act to amend Title 52, Eminent Domain, of the Revised Civil Statutes of Texas by adding Article 3264b to follow 3264a, defining the powers of the Board of Regents of The University of Texas when acting as trustees of a trust for scientific, educational, philanthropic, charitable or other public purposes, and to confer upon them the power of eminent domain, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Senator Oneal sent up the following amendment:

Amend Section 1, line 6, by inserting immediately after the word "members" the following:

"unless otherwise directed by the terms of the will or instrument."

ONEAL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No 79 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Collie.
Blackert.	Cousins.

DeBerry.
Duggan.
Fellbaum.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Murphy.
Neal.
Oneal.
Pace.
Parr.

Patton.
Poage.
Purl.
Rawlings.
Redditt.
Regan.
Russek.
Sanderford.
Small.
Stone.
Woodruff.
Woodul.
Woodward.

Absent—Excused.

Greer.

Committee Appointed.

The Chair announced the appointment of the following committee to arrange for the memorial services for the late Hon. Barry Miller:

Senators Purl, Holbrook and Parr.

S. C. R. No. 23.

Senator Greer sent up the following resolution:

Whereas, At the Regular Session of the Forty-third Legislature there was passed S. B. No. 242, providing an emergency appropriation of \$1,620,041, or so much thereof as may be necessary to be used for the payment of indebtedness that occurs through the operation of the rural aid law passed by the Forty-second Legislature, Regular Session, and

Whereas, At the Regular Session, of the Forty-third Legislature there was passed H. B. No. 256, known as the Rural Aid Bill, appropriating \$3,000,000 per annum, or so much thereof as may be necessary for the next two fiscal years for the purpose of promoting the public school interest of rural schools and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, and

Whereas, The Legislature, through H. B. No. 256, passed by the Forty-third Legislature, enlarged the program under the provisions of the Rural Aid Bill by increasing the size of school districts, by expanding the transportation program, and by the expansion of rural school libraries, thereby making the rural aid program larger for the ensuing biennium than for the biennium just closed, and

Whereas, The program for the biennium just closed cost the State \$3,200,000 per annum, and

Whereas, There has been set aside only \$3,000,000 to take care of the enlarged program set up by the Regular Session of the Forty-third Legislature, now, therefore, be it

Resolved by the Senate of the State of Texas, First Called Session of the Forty-third Legislature, with the House of Representatives concurring, That the unexpended balance of S. B. No. 246, passed by the Forty-third Legislature providing an emergency appropriation of \$1,620,041, be, and the same is hereby declared to be carried over and placed to the credit of the rural aid fund for the biennium 1933-35, to be expended according to the regulations of the rural aid law for said biennium, all or so much thereof as may be necessary to carry out the provisions of said rural aid law.

GREER.

Read and referred to Committee on Educational Affairs.

Resolution Referred.

H. C. R. No. 32, referred to Committee on State Affairs.

S. C. R. No. 24.

Senator Patton sent up the following resolution:

Whereas, The Appropriation Bill for the different departments of the State Government, passed by the Regular Session of the Forty-third Legislature, being H. B. No. 167, containing a provision at the end of said Appropriation Bill which prohibits a man and his wife from working in the same department of the State of Texas; and

Whereas, it has long been the custom on the Goree State Prison Farm, where the woman state convicts are confined, to employ the wife of the manager of said Goree Farm as matron; and

Whereas, This being an exception to the rule in other departments and it being economy for the State of Texas to employ the wife of the manager of the Goree State Prison Farm as matron; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That said provision be amended with reference to the matron of the Goree

State Prison Farm to hereafter read as follows:

"It is hereby provided that the Comptroller and State Treasurer shall issue warrants as provided for in said appropriation for the Texas Prison System as specified for the matron of the Goree Farm, who is the wife of the manager of said farm."

PATTON.

Read and referred to Committee on State Penitentiaries.

Senate Bill No. 30.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Martin:

S. B. No. 30, A bill to be entitled "An Act amending Article 7256 of the 1925 Revised Civil Statutes of Texas, so as to provide that in all counties containing a city, other than the county seat, in excess of 7,000 inhabitants according to the 1930 Decennial Census, the tax collector, with the consent and approval of the commissioners' court of said county may appoint a deputy tax collector in such town or city, who shall have the right to issue valid receipts for all taxes collected by him and to collect a fee of twenty-five cents from each person who pays his taxes to said deputy and to whom said deputy issues a receipt; providing that no person shall be charged over twenty-five cents for paying his taxes to said deputy; providing that said deputy shall enter into such bond payable to the county judge of the county, in such amount as the tax collector and commissioners' court may require; and further providing that said tax collector shall likewise remain liable on his bonds for all such taxes collected; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Adjournment.

Senator Woodward moved to recess until 9 o'clock tomorrow morning.

Senator Rawlings moved to adjourn until 9 o'clock tomorrow morning. The motion prevailed and, at

5:53 o'clock p. m., the Senate adjourned.

APPENDIX.

Petitions and Memorials.

(Letter.)

Dallas, Texas, October 7, 1933.
Hon. Bob Barker,
Secretary of the Senate,
Austin, Texas.

Dear Mr. Barker:

I will be happy to serve on the committee of reception for Hon. James A. Farley and party should they elect to come to Austin in response to the Senate's invitation.

I am happy to see that you included the name of the former Postmaster General Hon. Albert Burleson. I also note the usual happy phrase "mighty welcome to the capital city." In this I recognize the fine Italian hand of my good friend Senator John Hornsby.

I hope that Mr. Farley can arrange his itinerary so as to visit Austin.

I should have answered this before but I have been out of my office.

Most sincerely yours,

T. W. DAVIDSON.

Committee on Enrolled Bills.

Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 15, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 11 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 46 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 19 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 69 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, October 6, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 94, A bill to be entitled "An Act defining 'Daily Newspaper' or 'Newspaper,' 'Consecutive Days' or 'Successive Days' and words of similar meaning, within the meaning of any law, city charter or ordinance, or any Act of the Legislature creating any independent school district or any other municipal corporation, requiring notice to be given of any act or proceeding whether public or private, or relating to judicial, executive or legislative matters, by publication in a daily newspaper or by publication in a newspaper for a certain number of consecutive or successive days, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 24, Granting to J. P. Foty, his heirs, assigns and associates, permission to bring suit against the State of Texas and/or the High-

way Commission of the State of Texas, etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred

H. B. No. 26, A bill to be entitled "An Act providing for the transfer of certain lands to the State of Texas and to the State Parks Board for park purposes; providing that all lands south of parallel of latitude 29°, 25' north, lying and being situated in Brewster and Presidio Counties, heretofore or hereafter purchased by the State for delinquent taxes and which are not redeemed within the time prescribed by law shall become the property of the State of Texas for park purposes and shall be under the control of the Texas State Parks Board, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 67, A bill to be entitled "An Act amending Section or Subdivision 12, of Article 199, of the Revised Civil Statutes of Texas of 1925, as amended in 1931; changing the times of holding the terms of the district courts in the Twelfth Judicial District of Texas; changing the length of terms of the district courts of certain of the counties in said judicial districts; enacting necessary provisions with reference to processes, writs, bonds, recognizances and with reference to grand petit jurors made necessary by the changes made by this Act, and validating and legalizing the same; providing that this Act shall take ef-

fect January 1, 1934, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WOODUL, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred

H. B. No. 20, A bill to be entitled "An Act amending H. B. No. 578, Chapter 153, of the Acts of the Forty-third Legislature, known as the Cigarette Tax Law, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 7, Relating to violations of the anti-nepotism laws.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be adopted.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 76, A bill to be entitled "An Act providing for the levy and collection of special taxes in certain common and independent school districts in this State, because of insolvency, and providing that the State Board of Education be and with the advice of the Attorney General, shall determine when such district or districts are insolvent, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, October 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 50, A bill to be entitled "An Act to amend Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, by adding thereto a section to be known as Section 7a, providing that the Board of County and District Road Indebtedness shall keep adequate minutes of its proceedings and make semi-annual reports to each county and giving the commissioners' court of any county the right to inspect and audit the records of said board and of the State Treasurer and requiring said Board of County and District Road Indebtedness to make annual reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives, etc. and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments hereto attached, and be not printed.

RAWLINGS, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 50, by striking out all of line 3, page 2 of advance printing, and inserting in lieu thereof the following:

"sixty days after February 28th and after August 31st, of each year shall make".

Committee Amendment No. 2.

Amend S. B. No. 50, advance printing, by striking out subsection (4) of Section 7A of Section 1, commencing in line 37, page 2 of advance printing, and inserting in lieu thereof as subsection (4) the following:

"(4) Any county which has selected a depository according to law and in which county such depository has qualified by giving surety bonds

or by the deposit of adequate securities of the kind provided by law, which in the opinion of the Board of County and District Road Indebtedness is ample to cover the county deposits and in which county there has been no default by any county depository for a period of three years and which county has not defaulted in the payment of any installment of principal and/or interest on any county bonds for a period of five years next preceding the date of the filing of its application for exemption as hereinafter provided and in which county all sinking funds of all bond issues are in excess of the standard required by law and which county has levied for the current tax year adequate rates in support of outstanding bond issues as required by the Constitution and statutes of this State shall be exempted from such of the provisions of Section 7 of Chapter 136, Acts of the Regular Session of the Forty-third Legislature, as require counties to forward to said Board of County and District Road Indebtedness or to the State Treasurer (1) the securities in which the sinking funds of eligible road bond issues are now invested and (2) the residue in said sinking funds and (3) taxes levied and collected for the payment of interest and principal of eligible road bond issues. Any such county may obtain an exemption in the manner and under the conditions herein provided and thereupon shall be authorized to administer the matters pertaining to such eligible issues in the manner hereinafter set out."

Committee Amendment No. 3.

Amend S. B. No. 50, by adding at the end of subsection (6) of Section 7A of Section 1, being at the end of line 45 of page 3 of advance printing, the following:

"If at any time, in the opinion of the Board of County and District Road Indebtedness, counties that have been granted an exemption under this Act, shall cease to comply with all of the conditions under which the exemption has been granted, the Board shall notify the county to return the securities in which the sinking fund of eligible road bond issues are invested, and the residue in said sinking fund and to begin

immediately forwarding taxes levied and collected for the payment of interest and the payment on eligible road bond issues. Such counties shall be given 30 days in which to comply with the demands of the board but shall have the same rights and privileges granted in Section 5 of this Act."

Committee Amendment No. 4.

Amend S. B. No. 50, by striking out subsection (8) of Section 7A of Section 1, commencing at line 55 on page 3 of advance printing, and inserting in lieu thereof the following:

"(8) The commissioners' court of any county which may come within the exemption herein provided, shall use the sinking funds of eligible issues solely for the purpose of retiring bonds of that issue for which the sinking fund was created for a period of 3 years after the return of the securities by the Board of County and District Road Indebtedness, or the State Treasurer as specified in Section 5 of this Act, unless such county is unable to purchase any of these particular bonds in which case the Board of County and District Road Indebtedness may grant said county permission by letter for such county or road district to invest in other securities eligible by law. The Board of County and District Road Indebtedness shall retain the right to exchange any of the securities thus returned to the county, for bonds of that issue for which the sinking fund was created and shall give notice to the county judge of the county involved that such an exchange shall be made; the county judge shall immediately instruct the county treasurer to perfect such exchange as is set out in a registered letter of instructions by the Board of County and District Road Indebtedness. The Board of County and District Road Indebtedness shall have no power to instruct the county to make the exchange mentioned above where the bonds secured bear a lower interest rate than those bonds which the board had instructed the county to exchange except that the difference in the interest rate be fully adjusted by a cash settlement."

Committee Amendment No. 5.

Amend caption to S. B. No. 50 to conform to committee amendments Nos. 1, 2, 3 and 4.

Committee Room,

Austin, Texas, October 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

H. C. R. No. 29, Granting Martin Brothers permission to sue the State Highway Department.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, October 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

H. B. No. 112, A bill to be entitled "An Act amending Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature; placing the Act on a reciprocal basis; providing a saving clause with respect to Section 2, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, October 9, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 88, A bill to be entitled "An Act amending Section 13, Chapter 88, Acts of 1929, General Laws, Forty-first Legislature of Texas, Second Called Session, page 172, providing that the Highway Department shall issue or cause to be issued license number plates for each motorcycle, road-tractor, trailer, semi-trailer and for any other vehicle

registered under this Act, and describing how and where and when the license number plates shall be attached to said described vehicle; and providing that said license number plates shall be fastened by locking devices furnished by the State and that no other fastening or locking device shall be used, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 98, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to purchase, acquire and construct permanent improvements, including dormitories, stadiums, and athletic fields, and for the improvement of such structures heretofore erected, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 184, A bill to be entitled "An Act amending Chapter 12 of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Min-

ing, Irrigation and Drainage, to whom was referred

S. B. No. 97, A bill to be entitled "An Act creating a water conservation and reclamation district as a public corporation under Section 59, Article 16 of the Constitution of Texas, to be known as 'The Guadalupe River Authority'; defining the territory of such district; prescribing the purpose, authority, powers and privileges of such corporation; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 39, A bill to be entitled "An Act to define, license, and regulate loan brokers, and the business of loan brokers in amounts of \$500 or less, secured or unsecured; providing for a license fee; providing that application for license shall be in writing under oath; providing for the appointment of an agent to accept service in certain suits; providing for service upon the county judge in certain suits, whether such loan brokers are licensed or not licensed; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, October 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banks and Banking, to whom was referred

H. B. No. 200, A bill to be entitled "An Act amending Articles 2525, 2528 and 2533, Chapter 1, Title 47, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State Depositories and Reserve Depositories on State funds,

in lieu of interest rates now specifically fixed by Statute to be paid by such State Depositories and Reserve Depositories; amending Article 2537, and 2539, Chapter 1, Title 47, Revised Civil Statutes of Texas of 1925, to conform thereto; repealing Articles 2536, 2540, 2541, 2542 and 2543, Chapter 1, Title 47, Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RUSSEK, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 15, A bill to be entitled "An Act to amend Article 7324 of the Revised Civil Statutes of 1925, as amended by Chapter 117, Acts Forty-second Legislature, providing for collection of delinquent taxes and method of giving notice of delinquencies to record owners; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 100, A bill to be entitled "An Act relieving persons, firms, associations and corporations, engaged in selling or furnishing water for irrigation, from all obligations, except contractual obligations, to furnish water for irrigation of rice crops in violation of any agreement made or hereafter entered into between such persons, firms, associations and corporations and the Secretary of Agriculture of the United States of America pursuant to and under the terms of an Act of Congress entitled 'The Agricultural Adjustment Act,' approved May 12,

1933, and any amendments thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

COUSINS, Chairman.

Committee Room,
Hon. Edgar E. Witt, President of the
Austin, Texas, October 9, 1933.
Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 101, A bill to be entitled "An Act granting permission to the Gainesville Red River Bridge Company to sue the State Highway Commission as such, and the State of Texas upon a purported contract; fixing venue; making an appropriation to cover the expenses of the Attorney General in defending such suit; providing for the payment of any judgment which may be recovered against the Highway Commission as such and/or the State of Texas; providing for appeals, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 99, A bill to be entitled "An Act authorizing the State Board of Education in certain instances to issue and sell deficiency certificates bearing interest at a rate of not more than 4% per annum from issuance until same are called for payment against the State Available School Fund; regulating and limiting the issuance and sale of such certificates; providing that certificates issued under the provisions of this Act shall be drawn upon the State Treasurer by the State Comptroller and shall be countersigned by the State Treasurer and the President of the State Board of Education, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 90, A bill to be entitled "An Act authorizing certain independent school districts to receive donations of cash and donations of land upon which to build, erect and construct buildings in which its junior colleges may be maintained and operated and wherein an additional two years college work may be taught so as to constitute a university, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with attached committee amendments.

NEAL, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 90, by adding after the word "census" in line 1 on page 2 in Section 1 of said bill the following:

"And all other cities in Texas which now have municipal junior colleges established and are operated, controlled and managed by the boards of trustees of the independent school districts in which they are situated."

Committee Amendment No. 2.

Amend the caption to conform to the body of the bill.

Committee Amendment No. 3.

Amend by changing the figure 275,000 population in lines three (3) and seven (7), Section 1, to 225,000 population.

Committee Room,
Austin, Texas, October 9, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 62, A bill to be entitled "An Act amending Article 2688, Title 49, Chapter 11 of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, H. B. No. 904, Chapter 357, General Laws of the Regular Session of the Forty-second Legislature (same likewise appearing printed as H. B. No. 904, Chapter 212, page 426, Special Laws of the Regular Session of the Forty-second Legislature), and as further amended by Acts, 1932, H. B. No. 51, Chapter 21, pages 47 and 48 of the Third Called Session of the Forty-second Legislature, establishing the office of county superintendent of public instruction, and providing that the commissioners' court of every county which has three thousand (3000) scholastic population or more, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

NEAL, Chairman.

By Senator Moore. S. B. No. 62.

A BILL

To Be Entitled

An Act amending Article 2688, Title 49, Chapter Eleven, of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, H. B. No. 904, Chapter 357, General Laws, of the Regular Session of the Forty-second Legislature (same likewise appearing printed as H. B. No. 904, Chapter 212, page 426, Special Laws of the Regular Session of the Forty-second Legislature), and as further amended by Acts, 1932, H. B. No. 51, Chapter 21, pages 47 and 48, of the Third Called Session of the Forty-second Legislature, establishing the office of county superintendent of public instruction and providing that the commissioners' court of every county which has three (3,000) thousand scholastic population or more, as shown by the preceding scholastic census, shall, at the next General Election after 1934, and likewise each four years thereafter, provide for the election of a county superintendent of public instruction to serve for a term of four (4) years; providing educational and other qualifications

and prescribing certification of such county superintendents, and providing that the commissioners' court shall provide such official with an office in the court house and with necessary office furniture and fixtures and equipment; providing that the present term of office of all county superintendents heretofore elected or appointed shall continue until the next General Election after 1934, hereinabove specified, and until their successors have been duly elected according to law and have duly qualified; providing for the appointment by the commissioners' court, in every county which attains three (3,000) thousand scholastic population or more, of a county superintendent of public instruction who shall perform the duties of such office until the election and qualification of his successor; providing that in counties having less than three (3,000) thousand scholastic population, whenever more than twenty-five (25%) per cent of the qualified voters of said county, as shown by the vote for Governor at the preceding General Election, shall petition the commissioners court therefor, said court shall order an election for said county to determine whether or not the office of county superintendent of public instruction shall be created in said county, and providing that if a majority of the qualified property taxpaying voters voting at said election shall vote for the creation of the office of county superintendent of public instruction in said county, the commissioners' court, at its next regular term after the holding of said election, shall create the office of county superintendent of public instruction and name a county superintendent of public instruction who shall qualify under this chapter and hold such office until the next General Election for such office under this Article; providing that in counties having a scholastic population of between three (3,000) thousand and five (5,000) thousand scholastics, wherein the office of county superintendent of public instruction has not been created and a superintendent elected, then in such counties the question of

whether or not such office is established shall be determined by the qualified voters of said county in a special election called therefor by the commissioners' court of said county, upon petition therefor as herein specified, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 2688, Title 49, Chapter 11, of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, H. B. No. 904, Chapter 357, General Laws, of the Regular Session of the Forty-second Legislature (same likewise appearing printed as H. B. No. 904, Chapter 212, page 426, Special Laws of the Regular Session of the Forty-second Legislature), and as further amended by Acts, 1932, H. B. No. 51, Chapter 21, pages 47 and 48, of the Third Called Session of the Forty-second Legislature, be and the same is hereby amended so as to hereafter read as follows:

Article 2688. Office Established. The commissioners' court of every county having three (3,000) thousand scholastic population or more, as shown by the preceding scholastic census, shall, at the next General Election after 1934, and likewise each four years thereafter, provide for the election of a county superintendent of public instruction to serve for a term of four (4) years, who shall be a person of educational attainments, good moral character, and executive ability, and who shall be provided by the commissioners' court with an office in the court house, and with necessary office furniture and fixtures and equipment. He shall be the holder of a teacher's first grade certificate or a teacher's permanent certificate. The present term of office of all county superintendents, whether elected or appointed, shall continue until the next General Election after 1934, hereinabove specified, and until their successors have been duly elected according to law and have duly qualified. In every county that shall attain three (3,000) thousand scholastic population or more the commissioners' court shall appoint such superintendent who shall perform the duties of such office until the election and qualification of his successor. In counties having less than

three (3,000) thousand scholastic population whenever more than twenty-five (25%) per cent of the qualified voters of said county as shown by the vote for Governor at the preceding General Election shall petition the commissioners' court therefor, said court shall order an election for said county to determine whether or not the office of county superintendent of public instruction shall be created in said county, and if a majority of the qualified property taxpaying voters voting at said election shall vote for the creation of the office of county superintendent of public instruction in said county, the commissioners' court, at its next regular term after the holding of said election, shall create the office of county superintendent of public instruction and name a county superintendent of public instruction who shall qualify under this chapter and hold such office until the next General Election for such officials under this Article. Provided further that in counties having a scholastic population of between three (3,000) thousand and five (5,000) thousand scholastics, wherein the office of county superintendent of public instruction has not been created and a superintendent elected, then in such counties the question of whether or not such office is established shall be determined by the qualified voters of said county in a special election called therefor by the commissioners' court of said county, upon petition therefor as hereinabove specified.

Sec. 2. The fact that there is need and desirability for more stability and certainty in the terms of office of county superintendents, the importance of this Legislation, and the necessity for providing for such officials and of fixing the terms of office thereof creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and it is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,
October 10, 1933.

The Senate met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, no quorum being present.

On motion of Senator Woodward, the Senate stood at ease until 9:30 o'clock a. m.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Blackert.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Collie.	Duggan.
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Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senators Patton and Woodul:
S. B. No. 104, A bill to be entitled "An Act to amend Article 1109a of the Revised Civil Statutes of 1925 of the State of Texas passed by the Thirty-ninth Legislature, Acts of 1925, and known as H. B. No. 477, said Act being an Act entitled 'An Act to empower cities having more than one hundred and sixty thousand (160,000) inhabitants to purchase or otherwise acquire water